

## UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

LONNIE MOORE III,

No. C 11-05517 LB

Plaintiff,

v.

**ORDER EXTENDING TIME FOR  
DEFENDANT'S REPLY IN SUPPORT  
OF MOTION FOR JUDGMENT ON  
THE PLEADINGS**

PATRICK R DONAHOE,

Defendant.

[Re: ECF Nos. 32, 33, 34]

On November 14, 2011, Plaintiff Lonnie Moore III filed this action against Defendant Patrick Donahoe in his official capacity as Postmaster General of the United States Postal Service. Complaint, ECF No. 1. Mr. Moore brings employment discrimination claims under Title VII of the Civil Rights Act of 1964, as amended ("Title VII"), 42 U.S.C. § 2000e et seq. and the Rehabilitation Act, 29 U.S.C. § 701 et seq. *Id.*

On June 5, 2012, Defendant filed a motion for judgment on the pleadings, asserting that Mr. Moore failed to allege facts to support his claims, and, even if he did, failed to timely exhaust his administrative remedies. Motion, ECF No. 32. On June 28, 2012, Mr. Moore timely filed an opposition to Defendant's motion. Opposition, ECF No. 33; *see* Fed. R. Civ. P. 6(d); N.D. Cal. Civ. L.R. 7-3(a). This means that Defendant's reply currently is due on July 5, 2012. *See* N.D. Cal. Civ. L.R. 7-3(c).

On July 3, 2012, the court received from Mr. Moore a supplemental opposition. Supplemental Opposition, ECF No. 35. From what the court can tell, it generally disagrees with the arguments

1 Defendant made in his motion. *See id.* It also attaches a number of documents that have already  
2 been filed or submitted in this case. *See id.*

3 Even if supplemental oppositions were allowed (which they are not), Mr. Moore's supplemental  
4 opposition is untimely. *See* N.D. Cal. Civ. L.R. 7-3(a). Nevertheless, given Mr. Moore's *pro se*  
5 status, the court will not strike it. Instead, the court will extend the deadline for Defendant to file a  
6 reply in support of his motion. As noted above, the supplemental opposition does not appear to  
7 contain complex legal arguments or raise new factual issues that might otherwise prejudice  
8 Defendant. In these circumstances, finds good cause to extend the deadline for Defendant to file a  
9 reply to **6:00 p.m. on Tuesday, July 10, 2012.**

10 The court warns Mr. Moore that, in the future, he must comply with the court's local rules when  
11 filing documents with the court.

12 **IT IS SO ORDERED.**

13 Dated: July 3, 2012



14 LAUREL BEELER  
15 United States Magistrate Judge  
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